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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/223,558	12/31/1998	GREGORY LINDHORST	3797.77996	1430

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EXAMINER

HO, THE T

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 12/18/2003

22

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/223,558

Applicant(s)

LINDHORST ET AL.

Examiner

The Thanh Ho

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/22/2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 11.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the amendment filed 9/22/2003.
2. Claims 1-18 have been examined and are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dale U.S Patent No. 6,272,673 in view of Admitted Prior Arts (APA).

As to claim 1, Dale discloses a system for transporting objects (Fig.3) between a first (server 24a, Fig. 3) and second machine (client 20a, Fig. 3) where the first machine is programmed in a first language and the second machine is programmed in a second language (may alternatively be implemented in another object-oriented language, line 24-25 column 6), a memory (11, and 12, Fig. 2) for storing code; a first processor (10, Fig. 2) on the first machine (server 24a, Fig. 3) for executing code and instantiating an object on the first machine (causes component 64 to be instantiated and executed on the application server 24a, line 21-22 column 12); outputting the object to the second machine (application server 24a provides the HTML page 62 to the client 20a, line 17-18 column 12); after the object is output from the first machine, the first processor

deletes (explicitly destroyed, line 55 column 13) the instantiation of the object (the component becomes no longer instantiated, line 54-55 column 13) from the first machine. However, Dale does not explicitly disclose the persistence information of the object.

APA discloses a system of transporting objects between two machines wherein the persistence information is associated with the object (page state travel with the page to the client, lines 3-7 page 6). It would have been obvious to apply the teachings of APA to the system of Dale because this provides maintaining session and application state information.

As to claim 2, Dale as modified further discloses a second processor (10, Fig. 2) on the second machine (client 20a, Fig. 3) for receiving the object with persistence information (receives a requested HTML page, line 18 column 10) and allowing interaction with the object (the clients 20a detects an applet tag for a component, the browser instantiates the component in step 603, line 18-20 column 10), the interaction creating events (note two-ways communication arrows between objects of Fig. 7, and line 30-49 column 10).

As to claim 5, note the discussions of claims 1-2 above. Dale as modified further discloses a first object representation (a component, line 19 column 10); and event information (604, and 605, Fig. 6) relating to interaction with the object.

As to claims 6-7, note the discussions of claims 1-2 above.

4. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dale in view of APA, and further in view of Chang U.S Patent No 5,960,436.

As to claim 3, Dale as modified above does not explicitly disclose the limitations in claim 3. Chang teaches an output of a machine (client, line 7 column 2) for outputting the events and the objects with the persistence information (a record of the transaction and of the modified object, line 8-9 column 2) to the other machine (the server, line 13 column 2), wherein the other machine reinstantiates the objects (written back, line 12 column 2) based on the persistence information and handles the events (sent to the server, and replayed on the server, line 11-12 column 2) as effecting the reinstantiated objects (modified objects, line 12 column 2). It would have been obvious to apply the teachings of Chang to the system of Dale because after the object was being modified by the client computer, it can be sent back to the server for future use by the original client computer or any other client computers that are connected to the server.

As to claim 8, note the discussion of claim 3.

5. Claims 4 and 9-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dale in view of APA, and further in view of Barlow U.S Patent No. 6, 275,935 and Chang.

As to claim 4, note the discussions of claims 1-2 above. Dale as modified further discloses an input (20b and 22, Fig. 3) in the first machine (client 20a, Fig. 3) for receiving object (requested HTML page, line 18 column 10) from the second machine (server 24a, Fig. 3); a processor (10, Fig. 2) in the first machine (client 20a, Fig. 3) for

Art Unit: 2126

instantiating an object (instantiates the component, line 20 column 10). However, Dale does not teach an event handler and outputting the modified object.

Barlow discloses an event handler (an event handler, line 39-40 column 17) in handling event (the event, line 40 column 17) in combination with modifying (executed, line 40 column 17) the object (object 18, line 39 column 17). It would have been obvious to apply the teachings of Barlow to the system of Dale as modified because when the events are sent to the scripting engine from the server, it can be executed by the event handler.

Chang discloses outputting the modified object (modified objects, line 11 column 2) to a machine (the server's database, line 12 column 2). It would have been obvious to apply the teachings of Chang to the system of Dale for the same reasons as discussed in claim 3 above.

As to claim 9, note the discussion of claim 4 above.

As to claim 10, note the discussions of claims 1-4 above.

As to claims 11-12, note the discussions of claims 2-3 above, respectively.

As to claim 13, note the discussion of claim 10 above.

As to claim 14, note the discussions of claims 5 and 10 above.

As to claim 15, note the discussions of claims 6 and 10 above.

As to claims 16-17, note the discussions of claims 2-3 above, respectively.

As to claim 18, note the discussion of claim 10 above.

Response to Arguments

6. Applicant's arguments filed have been fully considered but they are not persuasive.

Applicant argued that lines 20-23 column 12 of Dale reference does not teaches "instantiating an object...deleting the instantiation of the object from the first machine" (Remarks, last paragraph page 11). In response, the applicant is advised to note the discussion of claim 1 above. The examiner cited more than just lines 20-23 column 12 from the Dale reference in order to reject the limitations mentioned. The examiner used citations from column 12, column 13 and combination of Dale and APA references to teach these limitations.

Applicant argued that Dale does not teach outputting object (Remarks, last paragraph page 13). In response, claim 1 rejection above clearly cites outputting the object to the second machine (application server 24a provides the HTML page 62 to the client 20a, line 17-18 column 12); wherein, the page included executable components as object that are incorporated into the HTML page (lines 18-21 column 6). The reference meets the limitation as claimed.

Applicant argued that APA does not teach the limitations of claim 1 (Remarks, first complete paragraph page 14). In response, APA was used to teach persistence information of the object wherein Dale, not APA, taught the other limitations.

Applicant argued that Dale does not teach deleting the instantiation (Remarks, last paragraph page 16). In response, claim 1 rejection above clearly cites deleting (explicitly destroyed, line 55 column 13) the instantiation of the object (the component

becomes no longer instantiated, line 54-55 column 13) wherein these objects had been instantiated before (number of objects are instantiated, lines 4-6 column 10).

Applicant argued that APA does not teach persistence information, and wherein "form elements" as cited by the examiner is not equally to the "persistence information (Remarks, last paragraph page 17). Again, the applicant is advised to note the discussion of claim 1 above. The examiner clearly cited the persistence information is associated with the object (page state travel with the page to the client, lines 3-7 page 6), not "form elements" as argued by the applicant.

Applicant argued that Dale in view of APA do not teach the limitations of claim 5 (Remarks, second paragraph page 19 to first paragraph page 22). In response, the applicant presents the arguments of claim 5 that are similar to the arguments of claim 1. Note the examiner's responses to the arguments of claim 1 above.

Applicant argued that Chang does not teach the limitations of claim 1 (Remarks, second paragraph page 23). In response, Chang was used to teach a limitation of claim 3 wherein Dale, not Chang, taught the limitations of claim 1.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2126

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is 703-306-5540. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 746 – 7238
- OFFICAL faxes must be signed and sent to (703) 746 – 7239
- NON OFFICAL faxes should not be signed, please send to (703) 746 – 7240

Application/Control Number: 09/223,558
Art Unit: 2126

Page 9

TTH
December 15, 2003



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